

**MINUTES OF THE CITY PLANNING COMMISSION
J. MARTIN GRIESEL CONFERENCE ROOM**

**September 21, 2001
9:00 AM**

Present: Appointed Members: Terry Hankner, Jacquelyn McCray, Donald Mooney, Peter Witte; City Council Representative: Jim Tarbell; Administration: Deputy City Manager Richard Mendes; City Planning Staff: Elizabeth A. Blume, Director, and Steven Kurtz, Administrator, Land Use Management.

The meeting was called to order by City Planning Commission (CPC) Chairman Donald Mooney. Mr. Mooney asked everyone to stand and observe a moment of silence to honor all who lost their lives in the September 11 terrorist attacks on the United States.

MINUTES

Motion: Ms. Hankner moved approval of the minutes of the September 7, 2001 CPC meeting.

Second: Mr. Mooney

Vote: Motion was unanimously approved (5-0).

CONSENT ITEMS

Subdivision Improvement Plan for Laurel Homes Subdivision in the West End Neighborhood

Woolpert, LLP, on behalf of Community Builders, Inc., the owner and developer, prepared a Subdivision Improvement Plan (SIP) for Laurel Homes Subdivision. The Laurel Homes Subdivision contains 25 acres of land, is zoned R-7 Multi-Family, and is located along Linn Street, north and south of Derrick Turnbow Avenue. The SIP contains 17 new rights-of-way that will create 145 new lots for 474 total dwelling units. The 103-homeowner dwelling units will be on lots that front Laurel Park Drive, abutting Park Board property, along Ezzard Charles Drive. The 371 rental dwelling units will be located west of John Street and east of Linn Street. On Linn Street, rental units will be located above new retail space. New housing units will be designed to mirror the architecture, scale and style of housing in the private market. All utilities will be underground.

Subdivision Improvement Plan for The Center of Cincinnati Subdivision in Oakley

A Subdivision Improvement Plan (SIP) was submitted on behalf of the various owners of lots within the subdivision. During the planning of the large-scale commercial development on the west side of Marburg Avenue, Vandercar Holdings expressed a desire to have signs located off-site, to direct customers from Ridge Avenue (Lot 6) or Madison Road (Lot 10) to the development. The Zoning Code considers signs identifying goods or services not sold on the premises to be advertising signs which require commercial zoning. Such a sign on Lot 10 is permitted given the M-3 zoning; however, Lot 6 is in an R-5 District which does not allow commercial uses. It was determined that, if the Vandercar development and other properties were in a subdivision, these signs would be considered subdivision identification signs and allowed at both locations.

On December 15, 2000, the Commission granted variances for panhandle lots to be 20 feet in width versus the required 50-foot width. Deeds for these panhandle lots were approved on March 9, 2001. Vandercar Holdings has subsequently conveyed Lots 3 and 4 to Sam's Club, Lot 2 to Meijer Stores and Lot 1 to Target. In addition, Vandercar acquired land from both Tom Moser, Inc. and Crossroads Community Church to create a right-of-way to connect Marburg Avenue to Madison Road as required by the Department of Transportation and Engineering. Lot 10 is owned by Tom Moser, Inc. and abuts the new street on the south right-of-way line.

In addition to Lots 1 through 4 and 10 (previously discussed), VH Ridge LLC (a Vandercar group) owns the following lots: 5 (for future commercial development); 6 and 7 (along Alamo Avenue in the R-5 District); as well as 8 and 9 (former Milacron parking lots in the R-5(T) District. This plan creates dedications at the following locations: A. West side of Marburg Avenue opposite Alamo Avenue which creates a right-turn-only lane from southbound Marburg Avenue into the commercial development complex. B. South side of Alamo Avenue from west of Calvert Street to Ridge Avenue creating an additional turning lane. C. Northwest corner of Marburg Avenue and Disney Street to facilitate trucks turning onto Disney Street. D. The 51-foot right-of-way connecting Marburg Avenue and Madison Road. All of these dedications are planned for construction at this time. There are also street dedications on the east side of Marburg Avenue, along Lots 8 and 9, and on Alamo Avenue, along Lots 7 and 8. The Department of Transportation & Engineering wants these ten-foot strips for an additional lane to accommodate future development of the Alamo-Ridge-Ibsen-Marburg block. Construction would be done when that development proceeds and warrants the need for additional pavement.

Motion: Ms. Hankner moved approval of the consent items.

Second: Mr. Witte

Vote: Motion was unanimously approved (5-0).

HEIGHT COMPARISON ILLUSTRATION RE PROPOSED AMENDMENTS TO THE *CINCINNATI 2000 PLAN*

Actions requested: 1. Map amendment to DD District Height Limit Overlay Section 1443-800(a) to increase the height limit overlay between E. Mehring Way and Butler Street, north of the railroad tracks and south of E. Pete Rose Way to 655 feet above mean sea level. 2. Map amendment to DD District F.A.R. (Floor Area Ratio) Overlay Section 1443-800(f) to increase the F.A.R. overlay between E. Mehring Way and Butler Street, north of the railroad tracks and south of E. Pete Rose Way to five. 3. Map amendment to DD District Use Overlay Section 1443-800(g) to extend Use Subdistrict B east between E. Pete Rose Way and Third Street, to the west boundary of existing Subdistrict B. Thus extending Subdistrict B from Broadway Street all the way through Eastern Avenue. 4. Text amendment to Section 1443-207(b) allowing hotel and convention uses in Use Subdistrict B. 5. Text amendment to Section 1443-201(d) of the zoning code to exclude hotels from the required residential uses of Use Subdistrict B. 6. Map amendment to "Proposed Growth Pattern and Major Land Uses" on page 25 of the *Cincinnati 2000 Plan*, indicating that the proposed land uses in the vicinity of the L & N Bridge would be "Mixed Use, Hotel, Housing, Retail and Office". 7. Text Amendment to the table "How the Land Will Be Used – Riverfront East" on Page 23 of the *Cincinnati 2000 Plan* to include 200-400 hotel rooms within the Riverfront East Sub-area. 8. Text Amendment to "How the Land Will Be Used – Riverfront East" on Page 23 of the *Cincinnati 2000 Plan*, stating that "The Cincinnati 2000 Plan calls for mixed use development to include additional high density housing, hotel, office, retail, and structured parking in this choice area which will enjoy the splendid view of the river, proximity to parks, the Stadium and Coliseum, and easy access to the downtown."

At the meeting of September 7, the Commission deferred action on this item until Senior City Planner Julia Carney could prepare an illustration, comparing maximum building heights as proposed above to existing buildings. Ms. Carney briefly reviewed the illustration, explaining that maximum heights gradually step down in relation to proximity to the river's edge. Ms. Blume stated the change of the L&N Bridge to pedestrian use prompted staff to re-examine the area and to propose changes.

Motion: Ms. Hankner moved approval of the text and map amendments to the Zoning Code, Chapter 1443 – Downtown Development District Regulations, and amendments to the *Cincinnati 2000 Plan*.

Second: Mr. Mendes

Vote: Motion was unanimously approved (5-0).

PROPOSED ZONE CHANGE FOR PROPERTY LOCATED AT 14 GRANDIN LANE IN HYDE PARK

Action requested: Approve a zone change from R-3 Two-Family District to R-1A Single-Family Large Lot District for the southern half of the property located at 14 Grandin Lane in Hyde Park.

Presenting the staff report on this item, Senior City Planner David Efland indicated the location of the subject parcel, which is currently bisected by a zone district boundary line and contains a single family structure on the northern half. The applicant wishes to ensure that the entire property remains single family in nature in perpetuity and, therefore, has requested that the R-1A zone district be extended to cover the entire parcel. The R-1A Zoning District is a reasonable and logical zoning district in which to place the entire parcel, given its use and adjacent uses. Both the Hyde Park Neighborhood Council and the Columbia Tusculum Community Council were notified of the proposed zone change; no official response was received from either entity. Staff recommends approval.

Motion: Ms. Hankner moved approval of the requested zone change.

Second: Mr. Tarbell

Vote: The motion was approved, 5-0.

APPLICATION FOR A DEMOLITION PERMIT FOR 3337 ALAMO AVENUE IN IDC 56, OAKLEY NORTH URBAN RENEWAL AREA

Actions requested: 1. Approve the application for a demolition permit for 3337 Alamo Avenue for the reason that the application conforms to the Application Review Guidelines when supplemented with the required covenant for seeding and maintenance. 2. Formally request a commitment from the applicant to seed and maintain those lots previously demolished prior to the establishment of the IDC in order to create and maintain a livable environment for those people still residing in the area.

In presenting the staff report, Senior City Planner Ed Mangold stated the demolition of 3337 Alamo Avenue completes the clearing of the entire south side of Alamo, from the former Milacron parking lot to Calvert Street. Staff recommends approval.

Motion: Mr. Tarbell moved approval of the staff recommendations.

Second: Mr. Witte

Vote: All ayes (5-0).

INFORMATION REPORT CONCERNING LAND USE AND ZONING IN THE VICINITY OF THE SEMINARY RIDGE SUBDIVISION, and PROPOSED INTERIM DEVELOPMENT CONTROL DISTRICT ON PROPERTY LOCATED AT 1040 CONSIDINE AVENUE IN EAST PRICE HILL

Action requested: Item 6 is a for-your-information report; no action is necessary. On Item 7, staff recommends the City Planning Commission disapprove the request to create an Interim Development Control (IDC) District for the reason that insufficient documentation warrants its establishment pursuant to Section 1457-200(a) of the Cincinnati Zoning Code.

Ms. Blume stated that, at the last meeting, discussion regarding East Price Hill's request to implement an IDC district or to consider some re-zoning led to the CPC request for an information report regarding land use and zoning in the vicinity of Considine Avenue, Seminary Avenue and Grand Avenue. Item 6 addresses that request; it is for information only. After that meeting, the City Council requested that an IDC district be created. In Item 7, we have provided some demographic data, comparing East Price Hill with the City over-all.

-- Ms. McCray entered the meeting. --

During general discussion, staff members Stephen Briggs and Steven Kurtz answered a number of questions, as did Deputy City Solicitor Ely Ryder.

PROPONENTS

Judge Norman Murdock (710 Mt. Hope, 45204), representing East Price Hill Improvement Association, offered survey results to support the community's wish that the CPC implement an IDC which would encourage single-family homeownership.

Melissa Wegman (547 Wilsonia Drive, 45205) dittoed Judge Murdock's remarks, stating the community wants to promote single-family, owner occupied homes.

Gary Koester (3650 Warsaw Avenue, 45205), representing Cincinnati Neighborhoods Business Districts United, stated there seems to be a disproportionate increase of subsidized units in East Price Hill, and that is adversely affecting businesses in that community. They support implementation of an IDC.

Rob Geiger (3422 Price Avenue, 45205), an employee of IMAGO, stated that organization is trying to promote home ownership.

Ohio state representative Steve Driehaus (1157 Overlook, 45238), spoke at length to request that either Cincinnati Metropolitan Housing Authority (CMHA) withdraw their

proposal for the Grandview site, or the CPC should recommend that City Council implement an IDC district to protect the East Price Hill community.

OPPONENTS

Don Troendle (16 West Central Parkway, 45202), Executive Director of CMHA, stated his organization has met with community leaders on numerous occasions. His agency believes in improving economics in the neighborhoods, and that is why the proposal for the Grandview site is to construct only 47 units, 32 of which will be market rate units, and only 15 units will be subsidized.

Gary Pieples of the Legal Aid Society (215 East Ninth Street, 45202) stated an IDC will not stop development, nor can it prevent rental housing. Further, his opinion is that an IDC will constitute 'spot zoning' which is illegal under Ohio laws, and any attempt to stop the project will face a legal challenge under Fair Housing laws.

Bill Berger, representing Housing Opportunities Made Equal (2400 Reading Road, 45202), reiterated that zoning should not dictate what kind of units should be established in East Price Hill; also, zoning should not dictate income level, what people look like, nor what the behavior standard will be. He warned that such uses of zoning will lead to problems with Fair Housing legislation.

Following more general discussion, the Chairman requested that staff prepare a report for the October 5, 2001 meeting which would outline a series of alternative actions which may be implemented in regard to the 1040 Considine Avenue (Grandview) site.

DESIGNATION OF STUDY AREA FOR URBAN RENEWAL PLAN FOR PORTIONS OF GOBEL AVENUE AND BRACKEN WOODS LANE IN WESTWOOD

Action requested: Approve the designation of the study area for the proposed blight study and Urban Renewal Plan for a portion of Gobel Avenue and Bracken Woods Lane in Westwood.

In presenting the staff report, Senior City Planner Tommie Thompson described the area, which lies between Harrison Avenue and Westwood Northern Boulevard, and consists primarily of four-family homes built in the early 50's. These buildings have been steadily deteriorating for at least the past ten years, and are in very poor condition on the inside. The gateways were purposely not included in the study area in order to provide a very concentrated study area. Staff has been conferring with various marketing and development agencies to determine what uses they believe would be successful in the area. Staff recommends approval of the study area.

-- Mr. Tarbell left the meeting. --

Mr. Mendes requested that the study include an examination of providing access to a major thoroughfare, and what impact that would have on the surrounding residential neighborhood. He hopes the study will produce various recommendations for a change of use, possibly to a commercial office park development.

Motion: Ms. McCray moved approval of the designation of the study area, as outlined in the staff report, with the study to include an examination of commercial use and the impact such use would have on the neighborhood.

Second: Ms. Hankner

Vote: All ayes (5-0).

ADJOURNMENT

There being no further business to consider, the meeting was adjourned.

Elizabeth A. Blume, Director
City Planning Department

Donald J. Mooney, Chairman
City Planning Commission

Date: _____

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